

Case No.: 8:10-cv-239
(GTS/RFT)

**STIPULATION DISCONTINUING ACTION AS TO DEFENDANTS
CHANTELLE SCHEMBER, TIMOTHY BLATCHLEY and DAVID N. FAVRO**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DWANE A. CLAY,

Plaintiff,

-against-

COUNTY OF CLINTON, ANDREW J. WYLIE, Individually and as District Attorney for the County of Clinton, CHANTELLE SCHEMBER, Individually and as Assistant District Attorney for Clinton County, TIMOTHY BLATCHLEY, Individually and as Assistant District Attorney for Clinton County, "JOHN and JANE DOES 1-10" (representing as yet unknown and unidentified employees of Clinton County working for The Office of the Clinton County District Attorney, in their individual capacity and in their official capacities), DAVID N. FAVRO, Individually and as Sheriff for the County of Clinton, "JOHN and JANE DOES 11-20" (representing as yet unknown and unidentified employees of Clinton County working for Clinton County Sheriff's Department in their individual capacity and in their official capacities), CITY OF PLATTSBURGH, DESMOND J. RACICOT, Individually and as City of Plattsburgh Police Department Chief, BRIAN U. MAJOR, Individually and as City of Plattsburgh Police Department Detective, BRUCE A. MARTIN, Individually and as City of Plattsburgh Police Department Detective, JOHN BARRY, Individually and as City of Plattsburgh Police Department Detective, and "JOHN and JANE DOES 21-30" (representing as yet unknown and unidentified employees of the City of Plattsburgh in their individual capacity and in their official capacities,

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above-entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, plaintiff Dwane A. Clay's claims in the above-entitled action be, and the same hereby are discontinued, with prejudice as against defendants Chantelle Schember, Timothy Blatchley and David N. Favro, without costs or

attorney's fees to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: October 19, 2010

BRIGGS NORFOLK, LLP

By /s/ Matthew D. Norfolk
Matthew D. Norfolk, Esq.
Attorneys for Plaintiff Dwane Clay
2295 Saranac Avenue
Lake Placid, New York 12946

Dated: October 28, 2010

LEMIRE JOHNSON, LLC

By /s/ Gregg T. Johnson
Gregg T. Johnson, Esq.
Attorneys for City of Plattsburgh
Defendants
P.O. Box 2485
Malta, New York 12020

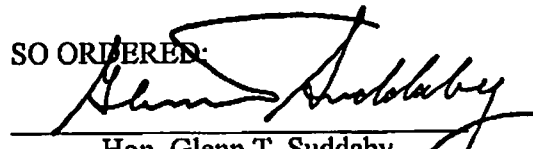
Dated: October 28, 2010

MURPHY, BURNS, BARBER & MURPHY, LLP

By /s/ Thomas K. Murphy
Thomas K. Murphy, Esq.
Bar Roll No.: 505306
Attorneys for Defendants County of
Clinton, Wylie, Schember, Blatchley
and Favro
226 Great Oaks Boulevard
Albany, New York 12203

Dated: Nov. 1, 2010

SO ORDERED:


Hon. Glenn T. Suddaby
United States District Court